

30126.0100

Fifty-eighth  
Legislative Assembly  
of North Dakota

FIRST DRAFT:

Prepared by the Legislative Council staff for the  
Information Technology Committee  
September 2002

Introduced by

1 A BILL for an Act to provide for a criminal justice information sharing board; to amend and  
2 reenact sections 12-60-16.2, 12-60-16.9, 12-60-18, and 62.1-04-03 of the North Dakota  
3 Century Code, relating to the collection of criminal information and to the fees for criminal  
4 history checks and concealed weapons permits; and to provide for a continuing appropriation.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. Criminal justice information sharing board - Membership - Duties**  
7 **and powers.** The governor, in collaboration with the supreme court, shall establish a criminal  
8 justice information sharing board. The chief justice of the supreme court or the chief justice's  
9 designee, the attorney general or the attorney general's designee, and the director of the state  
10 information technology department as the designee of the governor comprise the board. The  
11 director of the state information technology department shall provide staff support to the board.  
12 The board shall set policy relating to the collection, storage, and sharing of criminal justice  
13 information and the systems necessary to perform those functions. The board shall provide  
14 operational oversight for criminal justice information sharing activities and shall provide  
15 oversight of criminal justice information sharing budgets. The board may appoint an executive  
16 committee and an advisory committee that would serve in an advisory capacity to the board.

17 **SECTION 2. AMENDMENT.** Section 12-60-16.2 of the North Dakota Century Code is  
18 amended and reenacted as follows:

19 **12-60-16.2. Criminal history record information - Reportable events.** Except as  
20 otherwise provided in sections 12-60-16.1 through 12-60-16.10, each criminal justice agency  
21 shall report to the bureau the information described in this section for each felony and  
22 reportable offense so designated pursuant to section 12-60-16.4. The bureau may require the  
23 criminal justice agency to provide the information in a manner that the bureau determines to be

Fifty-eighth  
Legislative Assembly

1 the most efficient or accurate means of collection. The following criminal justice agencies shall  
2 perform the duties indicated:

- 3       1. Except as otherwise provided in this subsection, each criminal justice agency that  
4       makes an arrest for a reportable offense shall, with respect to that offense and the  
5       person arrested, furnish to the bureau the fingerprints, charges, and descriptions of  
6       the person arrested. If the arrest is made by a criminal justice agency that is a  
7       state law enforcement agency, then, on request of the arresting agency, a sheriff or  
8       jail administrator shall take the fingerprints. The arresting agency shall then furnish  
9       the required information to the bureau. If a decision is made not to refer the arrest  
10      for prosecution, the criminal justice agency making that decision shall report the  
11      decision to the bureau. A criminal justice agency may make agreements with other  
12      criminal justice agencies for the purpose of furnishing to the bureau information  
13      required under this subsection.
- 14      2. The prosecuting attorney shall notify the bureau of all charges filed, including all  
15      those added after the filing of a criminal court case, and whether charges were not  
16      filed in criminal cases for which the bureau has a record of an arrest.
- 17      3. After the court pronounces sentence for a reportable offense, and if the person  
18      being sentenced has not been fingerprinted with respect to that case, the  
19      prosecuting attorney shall ask the court to order a law enforcement agency to  
20      fingerprint that person. If the court determines that the person being so sentenced  
21      has not previously been fingerprinted for the same case, the court shall order the  
22      fingerprints taken. The law enforcement agency shall forward the fingerprints to  
23      the bureau.
- 24      4. The prosecuting attorney having jurisdiction over a reportable offense shall furnish  
25      the bureau all final dispositions of criminal cases for which the bureau has a record  
26      of an arrest or a record of fingerprints reported under subsection 3. For each  
27      charge, this information must include at least the following:
  - 28          a. Judgments of not guilty, judgments of guilty including the sentence  
29          pronounced by the court, discharges, and dismissals in the trial court;
  - 30          b. Reviewing court orders filed with the clerk of the court which reverse or  
31          remand a reported conviction or which vacate or modify a sentence; and

Fifty-eighth  
Legislative Assembly

1 c. Judgments terminating or revoking a sentence to probation and any  
2 resentencing after such a revocation.

3 5. The North Dakota state penitentiary, pardon clerk, parole board, and local  
4 correctional facility administrators shall furnish the bureau with all information  
5 concerning the receipt, escape, death, release, pardon, conditional pardon,  
6 reprieve, parole, commutation of sentence, or discharge of an individual who has  
7 been sentenced to that agency's custody for any reportable offense which is  
8 required to be collected, maintained, or disseminated by the bureau. In the case of  
9 an escape from custody or death while in custody, information concerning the  
10 receipt and escape or death must also be furnished.

11 **SECTION 3. AMENDMENT.** Section 12-60-16.9 of the North Dakota Century Code is  
12 amended and reenacted as follows:

13 **12-60-16.9. Criminal history record information - Fee for record check -**

14 **Continuing appropriation.** The bureau shall impose a fee of ~~twenty~~ twenty-five dollars for  
15 each record check. The bureau shall waive the fee for any criminal justice agency or court, and  
16 shall impose a fee of three dollars for each record check for a nonprofit organization that is  
17 organized and operated in this state exclusively for charitable purposes for the exclusive benefit  
18 of minors. Eighty percent of all fees collected under this section must be deposited in the  
19 criminal justice information sharing fund. The funds deposited into the criminal justice  
20 information sharing fund are appropriated to the information technology department on a  
21 continuing basis for the purpose of funding criminal justice information sharing activities. The  
22 remaining twenty percent of the fees collected under this section must be credited to the  
23 attorney general's operating fund.

24 **SECTION 4. AMENDMENT.** Section 12-60-18 of the North Dakota Century Code is  
25 amended and reenacted as follows:

26 **12-60-18. Money collected ~~paid into~~ deposited in general fund - Exception.** All  
27 Except as provided in section 12-60-16.9, all moneys collected or received, including all  
28 rewards for the apprehension or conviction of any criminal earned or collected by the  
29 superintendent, ~~the chief of the bureau, his assistants, or any employee of his office~~ the  
30 bureau, shall be paid into must be deposited in the general fund of the state.

Fifty-eighth  
Legislative Assembly

1           **SECTION 5. AMENDMENT.** Section 62.1-04-03 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3           **62.1-04-03. License to carry a firearm or dangerous weapon concealed -**  
4 **Continuing appropriation.**

- 5           1. The chief of the bureau of criminal investigation shall issue a license to carry a  
6 firearm or dangerous weapon concealed upon review of an application submitted  
7 to the chief if the following criteria are met:
- 8           a. The applicant has a valid reason for carrying the firearm or dangerous  
9 weapon concealed, including self-protection, protection of others, or  
10 work-related needs.
  - 11           b. The applicant is not a person specified in section 62.1-02-01.
  - 12           c. The applicant has the written approval for the issuance of such a license from  
13 the sheriff of the applicant's county of residence, and, if the city has one, the  
14 chief of police or a designee of the city in which the applicant resides. The  
15 approval by the sheriff may not be given until the applicant has successfully  
16 completed a background investigation in that county and has attended a  
17 testing procedure conducted pursuant to rules adopted by the attorney  
18 general. The testing procedure for approval of a concealed weapons license  
19 must include an open book test to be given from a manual that sets forth  
20 weapon safety rules and the deadly force law of North Dakota, including  
21 judicial decisions and attorney general opinions, and a proficiency test  
22 consisting of a course of fire to be designated by the criminal justice training  
23 and statistics division of the attorney general's office. The purpose of the  
24 proficiency test is only to ensure a minimal level of competency in the loading  
25 and unloading of the firearm or dangerous weapon, use of safety devices and  
26 basic firearm or dangerous weapon functioning, and minimal accuracy. A  
27 weapons instructor certified by the attorney general shall conduct the testing  
28 procedure. The attorney general shall develop rules that ensure that this  
29 testing will be conducted periodically. The local agency conducting the testing  
30 may assess a charge of up to fifty dollars for conducting this testing. The

Fifty-eighth  
Legislative Assembly

1 testing procedure is not required for a renewal of a concealed weapons  
2 license.

3 d. The applicant satisfactorily completes the bureau of criminal investigation  
4 application form and has successfully passed a background investigation or  
5 criminal records check conducted by that agency.

6 e. The applicant is not prohibited under federal law from owning, possessing, or  
7 having a firearm under that person's control.

8 2. The sheriff is required to process the application within thirty days after the  
9 completion of the testing portion unless the application is for renewal of a license  
10 and in such case the application must be processed within thirty days after its  
11 receipt by the sheriff, the chief of police is required to process the application within  
12 ten working days of its receipt by the agency, and the bureau of criminal  
13 investigation is required to process the application and make a determination within  
14 thirty days of receipt from the forwarding agency.

15 3. The license fee for a concealed weapons license is twenty-five dollars. Ten dollars  
16 of this fee must be ~~credited to the state general fund and~~ deposited in the criminal  
17 justice information sharing fund. The funds deposited into the criminal justice  
18 information sharing fund are appropriated to the information technology department  
19 on a continuing basis for the purpose of funding criminal justice information sharing  
20 activities. The remaining fifteen dollars of this fee must be credited to the attorney  
21 general's operating fund up to a total of seventy-five thousand dollars each  
22 biennium. Any collections from fifteen dollars of this fee in excess of the  
23 seventy-five thousand dollars credited to the attorney general's operating fund  
24 each biennium must be credited to the state general fund. The license fee must be  
25 paid before the license is issued by the director of the bureau of criminal  
26 investigation.

27 4. The chief of the bureau of criminal investigation shall prescribe the form of the  
28 application and license, which must include the name, address, description, a  
29 photograph, and the signature of the individual. The application form must require  
30 sufficient information to properly conduct a background investigation and be  
31 accompanied by two sets of classifiable fingerprints. The two sets of classifiable

Fifty-eighth  
Legislative Assembly

- 1 fingerprints are not required for a renewal of a concealed weapons license. The  
2 license is valid for three years. The license must be prepared in triplicate, and the  
3 original must be delivered to the licensee, the duplicate must be sent by mail,  
4 within seven days after issuance, to the sheriff of the county in which the applicant  
5 resides, and the triplicate must be preserved for six years by the chief. In those  
6 cases in which the licensee resides in a city, an additional copy of the license must  
7 be made and sent by mail, within seven days after issuance, to the chief of police  
8 of the city in which the applicant resides. The individual shall notify the chief of the  
9 bureau of criminal investigation of any change of address or any other material fact  
10 which would affect the restrictions on or the need for the license.
- 11 5. The chief of the bureau of criminal investigation may deny an application or revoke  
12 or cancel such a license after it has been granted for any material misstatement by  
13 an applicant in an application for the license or any violation of this title.
- 14 6. The applicant may appeal a denial or revocation of this license to the district court  
15 of the applicant's county of residence.
- 16 7. The attorney general may adopt rules to carry out this title.

30123.0100

Fifty-eighth  
Legislative Assembly  
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Introduced by

1 A BILL for an Act to amend and reenact sections 15-19-01, 15-19-02, 15-19-04, and 15-19-06  
2 of the North Dakota Century Code, relating to the division of independent study.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 15-19-01 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **15-19-01. Correspondence courses - Establishment - Enrollment of students -**

7 **Courses of instruction.** The state shall provide correspondence courses through the division  
8 of independent study under the following provisions:

- 9 1. A complete curriculum by correspondence which has been specifically determined  
10 by the ~~state board~~ superintendent of public ~~school education~~ instruction as proper  
11 and suitable for instruction under correspondence methods, such determination  
12 and approval to be made not less than once in each school year, must be  
13 maintained upon the campus of one of the state institutions of higher education ~~by~~  
14 ~~the state board of public school education.~~
- 15 2. Unless specifically excused in writing upon the course application forms by the  
16 superintendent or an administrator of the school approving the enrollment  
17 application, or as provided in subsection ~~6~~ 5, all students under the age of sixteen  
18 taking advantage of the provisions of this chapter must be required to attend their  
19 local district schools and to study their correspondence lessons under the  
20 supervision of a local supervisor. If not required to attend their local schools, their  
21 work may be done at a place designated by the state director ~~in accordance with~~  
22 ~~the rules of the state board of public school education.~~ If in attendance at a local  
23 school, students must be supplied with desk space in their respective school

Fifty-eighth  
Legislative Assembly

1 without charge and shall attend school regularly and be under the same  
2 disciplinary supervision of the teachers as the other school students.

3 3. The division of independent study may provide services to persons who are not  
4 North Dakota residents.

5 4. ~~The correspondence work must be completed in accordance with the rules~~  
6 ~~established by the state board of public school education.~~

7 5. Correspondence students shall pay for books and materials used by them, postage  
8 required to mail reports to the division, and other fees as may be prescribed by the  
9 ~~board of public school education~~ state director.

10 6- 5. Students exempt from the compulsory school attendance laws pursuant to  
11 subdivision e of subsection 1 of section 15.1-20-02 may enroll in correspondence  
12 courses offered through the division of independent study. These students may  
13 study their correspondence lessons in their learning environment under the  
14 supervision of a parent. The tests for the correspondence study must be  
15 administered by an individual who is licensed to teach by the education standards  
16 and practices board or approved to teach by the education standards and practices  
17 board and employed either by the public school district in which the parent resides  
18 or a state-approved private or nonpublic school.

19 **SECTION 2. AMENDMENT.** Section 15-19-02 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21 **15-19-02. Administration - Director of division of independent study -**

22 **Appointment and duties.** The program of and all activities related to the division of  
23 independent study are the responsibility of and under the supervision of the educational  
24 technology council. The educational technology council shall hire a state director of the division  
25 of independent study who must be classified under the state personnel merit system. The  
26 director shall carry out the director's responsibilities in the administration of the division of  
27 independent study in the manner approved by the ~~state board of public school education~~  
28 educational technology council.

29 **SECTION 3. AMENDMENT.** Section 15-19-04 of the North Dakota Century Code is  
30 amended and reenacted as follows:



Fifty-eighth  
Legislative Assembly

1           **15-19-04. Duty of teachers, county and state officers, and institutions**  
2    **superintendent - Advertising.** ~~The state board of public school education and the~~  
3    superintendent or ~~a member~~ an employee of the department of public instruction designated by  
4    the superintendent shall ~~approve~~ ensure that the ~~content~~ of courses offered, by the division of  
5    independent study meet state content standards and shall monitor compliance with sections  
6    15.1-18-02 and 15.1-18-03, ~~approve credits granted for each course, and do all other things~~  
7    ~~necessary to integrate the correspondence program into other programs administered or~~  
8    ~~supervised by the department of public instruction.~~ The division of independent study may  
9    advertise its correspondence program, ~~however, the state board of public school education and~~  
10   ~~the superintendent of public instruction shall ensure that the program in no way competes with~~  
11   ~~the public schools of this state for the enrollment of students, encourages students to leave the~~  
12   ~~public schools, or duplicates the facilities of the public schools through offering correspondence~~  
13   ~~courses to students having access to such courses in the public schools.~~

14           **SECTION 4. AMENDMENT.** Section 15-19-06 of the North Dakota Century Code is  
15   amended and reenacted as follows:

16           **15-19-06. Special funds - Deposit of collections - Transfers from general fund**  
17   **appropriations.**

- 18           1. A special operating fund for the division of independent study must be maintained  
19           within the state treasury and all income and fees collected by the division of  
20           independent study from any source must be remitted monthly by the director to the  
21           state treasurer and credited to the special operating fund. All expenditures from  
22           the fund must be within the limits of legislative appropriations and must be made  
23           upon vouchers, signed and approved by the technology director appointed by the  
24           educational technology council. Upon approval of the vouchers by the office of the  
25           budget, warrant-checks must be prepared by the office of management and  
26           budget. The state treasurer shall make periodic transfers upon order of the  
27           director of the office of management and budget from the division of independent  
28           study general fund appropriation to the special operating fund whenever its  
29           balance falls so low as to require supplementation.
- 30           2. The educational technology council may establish an administrative operational  
31           fund, of not to exceed ten thousand dollars, out of the special operating fund for the

Fifty-eighth  
Legislative Assembly

1 division of independent study. The administrative operational fund must be  
2 deposited in the Bank of North Dakota and may be drawn upon by the state  
3 director of the division of independent study for the payment of necessary  
4 expenses in the administration and operation of the division of independent study  
5 within the limits and rules prescribed by the educational technology council. The  
6 director shall submit a full, minute, and itemized statement of every expenditure  
7 made during the month to the council in accordance with the rules adopted by the  
8 council, and thereafter the council may periodically authorize additional transfers to  
9 the administrative operational fund, but the balance in the fund may never exceed  
10 ten thousand dollars, and any unencumbered balance at the end of any biennium  
11 must revert to the state treasury. The administrative operational fund may not be  
12 used to pay salaries or expenses of the director. The council shall determine the  
13 amount of the bond to be posted by the director.

- 14 3. ~~The state board of public school education~~ educational technology council may  
15 establish a scholarship fund to provide financial grants to students enrolled in  
16 courses offered through the division of independent study. The scholarship fund  
17 may consist only of those funds specifically appropriated by the legislative  
18 assembly and property received by the ~~board~~ council or the division of independent  
19 study as a gift, devise, or bequest. Any gift, devise, or bequest of property  
20 received by the ~~board~~ council or division of independent study which is designated  
21 by the ~~board~~ council and donor for the scholarship fund must be deposited in the  
22 scholarship fund at the Bank of North Dakota. The state director of the division of  
23 independent study may draw only on the interest earned by the scholarship fund  
24 for the award of scholarships within the limits and rules adopted by the ~~state board~~  
25 ~~of public school education~~ educational technology council. The interest earned by  
26 the scholarship fund is appropriated to the division of independent study.

30125.0100

Fifty-eighth  
Legislative Assembly  
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Introduced by

- 1 A BILL for an Act to amend and reenact subdivisions e and f of subsection 10 of section  
2 49-21-01.1 of the North Dakota Century Code, relating to exceptions from the definition of  
3 telecommunications service.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subdivisions e and f of subsection 10 of section  
6 49-21-01.1 of the North Dakota Century Code are amended and reenacted as follows:

- 7 e. Occupants of technology parks, or business incubators receiving secretarial  
8 or business startup support in facilities owned or leased by the institution  
9 ~~during a business startup phase for a term not to exceed four years or until~~  
10 ~~August 1, 2005, whichever is later; and~~  
11 f. Educational, governmental, and ~~nonprofit~~ other users of system or institution  
12 interactive video conferencing site facilities and associated network services.



30124.0100

Fifty-eighth  
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Introduced by

- 1 A BILL for an Act to create and enact a new subdivision to subsection 2 of section 28-32-01 of  
2 the North Dakota Century Code, relating to administrative agencies excluded from the  
3 Administrative Agencies Practices Act.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

- 5 **SECTION 1.** A new subdivision to subsection 2 of section 28-32-01 of the North Dakota  
6 Century Code is created and enacted as follows:

- 7 The information technology department with respect to policies, standards,  
8 and guidelines adopted under section 54-59-09.



30122.0100

Fifty-eighth  
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1 A BILL for an Act to amend and reenact section 54-44.6-01, subsection 4 of section 54-59-05,  
2 and sections 54-59-11 and 54-59-14 of the North Dakota Century Code, relating to forms  
3 management, the powers and duties of the information technology department, information  
4 technology plans, and the information technology operating account; and to repeal section  
5 54-59-07 of the North Dakota Century Code, relating to the state information technology  
6 advisory committee.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Section 54-44.6-01 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **54-44.6-01. Declaration of legislative intent.** The legislative assembly finds and  
11 declares that there is a need to minimize the governmental paperwork burden for state and  
12 local government entities, individuals, businesses, and others; that the costs of collecting,  
13 maintaining, using, and disseminating information are constantly escalating due to the  
14 increasingly voluminous and complex nature of state statutes and regulations; that there is a  
15 need to coordinate, integrate, and to the extent practicable and appropriate, make uniform the  
16 information policies and practices in North Dakota; and that the governmental paperwork  
17 burden can best be eased by establishing a statewide forms management program within the  
18 ~~office of management and budget~~ information technology department.

19 **SECTION 2. AMENDMENT.** Subsection 4 of section 54-59-05 of the North Dakota  
20 Century Code is amended and reenacted as follows:

21 4. May purchase, finance the purchase, or lease equipment ~~or, software, or~~  
22 implementation services or replace, including by trade or resale, equipment or  
23 software as may be necessary to carry out this chapter. ~~An agreement to finance~~  
24 ~~the purchase of software, equipment, or implementation services may not exceed a~~

Fifty-eighth  
Legislative Assembly

1 ~~period of three years.~~ The department shall submit any intended financing  
2 proposal for the purchase of software, equipment, or implementation services  
3 under this subsection, which is in excess of one million dollars, to the budget  
4 section of the legislative council before executing a financing agreement. If the  
5 budget section does not approve the execution of a financing agreement, the  
6 department may not proceed with the proposed financing arrangement. ~~The~~  
7 ~~department may finance the purchase of software, equipment, or implementation~~  
8 ~~services only to the extent the purchase amount does not exceed the amount~~  
9 ~~appropriated to the department during that biennium for equipment.~~ Each  
10 executive branch agency or institution, except the institutions under the control of  
11 the board of higher education, shall submit to the department, in accordance with  
12 guidelines established by the department, a written request for the lease,  
13 purchase, or other contractual acquisition of information technology. The  
14 department shall review requests for conformance with the requesting entity's  
15 information technology plan and compliance with statewide policies and standards.  
16 If the request is not in conformance or compliance, the department may disapprove  
17 the request or require justification for the departure from the plan or statewide  
18 policy or standard.

19 **SECTION 3. AMENDMENT.** Section 54-59-11 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21 **54-59-11. Information technology plans.** Each executive branch state agency or  
22 institution, including the institutions under the control of the board of higher education, shall  
23 prepare an information technology plan, subject to approval by the department. The plan must  
24 be submitted to the department by ~~March~~ July fifteenth of each even-numbered year. The plan  
25 must be prepared based on guidelines developed by the department; must provide the  
26 information technology goals, objectives, and activities of the entity for the current biennium and  
27 the next two bienniums; and must include information regarding the information technology  
28 assets owned, leased, or employed by the entity. Each entity required to file a plan shall  
29 provide interim updates to its plan if major information technology changes occur which affect  
30 its plan. The department shall review each entity's plan for compliance with statewide  
31 information technology policies and standards and may require an entity to change its plan to



Fifty-eighth  
Legislative Assembly

1 comply with statewide policies or standards or to resolve conflicting directions among plans.  
2 Agencies of the judicial and legislative branches shall file their information technology plans  
3 with the department by ~~March~~ July fifteenth of each even-numbered year. Each state entity  
4 shall prepare its budget request for the next biennium based on its information technology plan.  
5 The agency's budget request and the governor's budget recommendation must include  
6 supporting information describing in detail how the information technology plan relates to the  
7 budget request and recommendation. Any budget adjustment by the budget office must include  
8 the corresponding change to the plan. Based on the plans, the department shall prepare a  
9 statewide information technology plan and distribute copies of that plan to members of the  
10 legislative assembly as requested by the legislative council or its designee. The statewide  
11 information technology plan must be developed with emphasis on long-term strategic goals and  
12 objectives.

13 **SECTION 4. AMENDMENT.** Section 54-59-14 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15 **54-59-14. Information technology operating account.** The department shall  
16 establish a state information technology operating account in the state treasury to be used, in  
17 accordance with legislative appropriation, for procuring and maintaining information technology,  
18 and network services, ~~and central microfilm unit equipment and supplies,~~ and for providing  
19 information technology, network services, and central microfilm unit services to state entities  
20 and network services to users of the state network. Unless exempted by law, each agency or  
21 institution provided with information technology or network services shall pay to the department  
22 the charges as determined by the department. The department shall deposit the amounts  
23 received in the information technology operating account or the information technology  
24 development account, as appropriate.

25 **SECTION 5. REPEAL.** Section 54-59-07 of the North Dakota Century Code is  
26 repealed.



30127.0100

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1 A BILL for an Act to create and enact a new section to chapter 44-04 of the North Dakota  
2 Century Code, relating to exempting from open records requirements records containing  
3 computer passwords and security information.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 44-04 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Computer passwords and security information - Exempt.** Records containing plans,  
8 security codes, passwords, combinations, or other related data used to protect electronic  
9 information and government property and to prevent access to computers, computer systems,  
10 or computer or telecommunications networks, or any data residing in computers, computer  
11 systems, or computer or telecommunications networks are exempt from section 44-04-18 and  
12 section 6 of article XI of the Constitution of North Dakota.

